

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ALAN SCHULER,

:

Plaintiff,

:

Case No. 3:02CV233

vs.

:

District Judge Thomas M. Rose

COMMISSIONER of the
Social Security Administration,

:

:

Defendant.

:

ORDER

This case is before the Court upon Plaintiff's unopposed Motion for Allowance of Attorney Fees. (Doc. #17). The Court previously remanded this case to the Social Security Administration for further proceedings. (Doc. #14). The Commissioner of the Social Security Administration determined on remand that Plaintiff was due disability benefits. *See* Doc. #17 (Exhibit B).

Plaintiff presently seeks an award of attorney fees in the total amount of \$17,300.00. *See id.* (Exh. C). In the absence of opposition by the Commissioner, Plaintiff's Motion and supporting Exhibits establish that, pursuant to 42 U.S.C. §406(b)(1), he is entitled to an award of attorney fees in the amount he seeks.

Accordingly, the Court hereby **ORDERS** that:

1. Plaintiff's Motion for Allowance of Attorney Fees (Doc. #17) is **GRANTED**;
2. The Commissioner shall pay Plaintiff's attorney fees pursuant to 42 U.S.C. §406(b)(1) in the amount of \$17,300.00; and
3. The case remains terminated on the docket of this Court.

March 4, 2008

s/**THOMAS M. ROSE**

Thomas M. Rose
United States District Judge